REMARKS

This application has been reviewed in light of the Office Action dated August 31, 2005. Claims 1-40 are presented for examination. Claims 1, 11, 21 and 31 are in independent form, and have been amended to define still more clearly what Applicants regard as their invention. Favorable reconsideration is respectfully requested.

In the outstanding Office Action, Claims 1, 11, 21 and 31 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite, and as being incomplete.

Independent Claim 1 is directed to an information processing apparatus which is connected to a first local managing apparatus which diagnoses an apparatus having a first-type function and a second local managing apparatus which diagnoses an apparatus having a second-type function that is different from the first-type function. The claimed apparatus comprises judging means, which judge whether any trouble which has occurred is a trouble in the apparatus having the first-type function or in the apparatus having the second-type function. Also provided are determination means which determine whether only one of the first and second local managing apparatuses should make a diagnosis, or both the first and second local managing apparatuses should make a diagnosis, based on the judgment provided by the judging means. Diagnosis control means cause one of the first local managing apparatus and the second local managing apparatus, or both the first and second local managing apparatuses, to perform diagnosis, based on a determination provided by the determination means.

Applicants respectfully point out that the managing apparatuses are able to diagnose a given type of function in either type of machine. As to the second portion of the rejection under Section 112, second paragraph (alleged incompleteness), it appears from the Office Action that the Examiner believes that the claims should include a recitation of

how the occurrence of a given type is identified. Applicants respectfully submit that the Office Action does not identify any respect in which a person of ordinary skill would be unable to determine what does or does not fall within the literal scope of these claims, which is the proper test for whether a claim complies with Section 112, second paragraph. Nonetheless, to eliminate this as an issue, Applicants have added to the independent claims a recitation of judging means or a judging step, as the case may be. Withdrawal of the rejections under Section 112, second paragraph, is respectfully requested.

Claims 1-3, 6, 8, 10-13, 16, 18, 20-23, 26, 28, 30-33, 36, 38 and 40 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,173,422 B1 (Kimura et al.).[1] In addition, Claims 4, 5, 14, 15, 24, 25, 34 and 35 were rejected under 35 U.S.C. § 103(a) as being obvious from *Kimura* in view of U.S. Patent 6,415,392 (Suzuki et al.), Claims 7, 17, 27 and 37, as being obvious from *Kimura* in view of U.S. Patent 6,697,962 (McCrory et al.), and Claims 9, 19, 29 and 39, as being obvious from *Kimura* in view of official notice.

In the *Kimura* system, room managers 84-86 are assigned the job of managing units in a given room, rack or other area, each of the room managers being responsible for devices of various types. *Kimura* apparently contemplates that the room managers will have the same diagnostic capabilities, since each manages the same collection of types of apparatuses. This does not appear to teach or suggest an arrangement in which the diagnosis of problems occurring in a first type of function is assigned to one local manager, while diagnosis of another type of function is assigned to a different local manager, as recited in independent Claim 1.

[1/] While paragraph 13 of the Office Action , discussing this rejection of Claim 10, refers to *Suzuki*, it is understood that this rejection is actually based on ly *Kimura*

Moreover, Applicants submit that nothing in Kimura would teach or suggest making a determination as to whether only one of first and second local managing apparatus should make a diagnosis, or both the first and second local managing apparatuses should make a diagnosis, based on a judgment provided by judging means, as recited in Claim 1. In particular, nothing has been found, or pointed out, in *Kimura* that even hints at determination means which determine that both a first and a second local managing apparatus should make diagnoses.

In the *Kimura* system, when a computer which is to monitor errors of the plural devices receives an error notice from the devices, the computer displays an indication of the error; furthermore, according to the content of an error, it changes the color to display the device in which the error has occurred. These things are done to make it easier for the operator to recognize the nature of the error.

However, in the *Kimura* system, as noted above, there is only one type of computer to monitor the errors. Although room managers 84, 85 and 86 are shown in Fig. 12, each of these room managers monitors the same type of device. In *Kimura*, there is no description that Applicants can find of two computers such as would correspond to a first local managing apparatus, which diagnoses an apparatus having a first-type function, and a second local managing apparatus, which diagnoses an apparatus having a second-type function that is different from the first-type function, as recited in Claim 1. Kimura only discloses about the system that either one of the apparatuses, the first local managing apparatus which diagnoses an apparatus having a first-type function or the second local managing apparatus which diagnoses an apparatus having a second-type function that is different from the first-type function, multiply exist in the system.

That is to say, in the Kimura system, assuming for argument's sake that various ones of the monitoring computers could be deemed to correspond to the recited local managing apparatuses, then a first of the computers (say, the first local managing apparatus) *always* diagnoses errors in an apparatus having a first-type function, while a second of the computers (the second local managing apparatus) *always* diagnoses errors in an apparatus having a second-type function that is different from the first-type function. Applicants can find no hint in *Kimura* that diagnosis of an error in a *given* device is performed by different managing apparatuses, as can be done with the apparatus of Claim 1.

A priori, therefore, nothing in *Kimura* can teach or suggest means which determine whether only one of first and second local managing apparatuses should make a diagnosis, or whether both should make a diagnosis, much less that such determination would be made based on a judgment provided by judging means.

For all these reasons, it is believed clear that Claim 1 is allowable over *Kimura*.

The other independent claims are each a method, program or memory-medium claim, respectively, corresponding to apparatus Claim 1, and each is also believed to be clearly allowable over *Kimura* at least for th reasons presented above in regard to Claim 1.

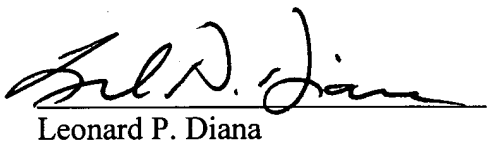
A review of the other art of record, including *Suzuki '392* and *McCrory*, has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and allowance of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



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